

Remarks/Arguments

After the instant amendment, claims 1-36 are currently pending in the application, and claims 8, 12, 17, and 18 are amended. Claims 1-7 and 25-36 have been found allowable.

Applicants thank the Examiner for conducting a telephone interview on April 30, 2008 to discuss the remaining rejections.

The present amendments to the claims are solely for the purpose of expediting prosecution of the present application. No new matter has been added to the application and therefore no additional search is required and no new issues have been raised. Furthermore, in view of the amendments and remarks presented herein, the number of issues for appeal has been reduced (in the event any of the claims are still rejected). Therefore, Applicants respectfully request that the present Amendment be entered.

Rejections under 35 U.S.C. § 112, second paragraph

Claims 8-14 stand rejected under 35 U.S.C. § 112, second paragraph as allegedly indefinite. In the rejection, it is contended that placement of the word "and" immediately after two process steps and prior to a wherein clause containing a Markush group renders the claim indefinite over whether the steps could be performed simultaneously.

Applicants point out that step (a) generates a "first composition" and step (b) alters said "first composition", therefore step (a) must be performed prior to step (b). Regardless, Applicants have now amended the claim 8 to remove the "and" preceding the "wherein" clause. Claim 17 is also amended to remove the word "and" preceding the "wherein" clause in that claim to eliminate any potential for indefiniteness. Applicants therefore request that claims 8-14 and 17 be reconsidered in view of this amendment and the rejection withdrawn.

Claim 12 stands rejected under 35 U.S.C. § 112, second paragraph as allegedly indefinite because the claim recites the

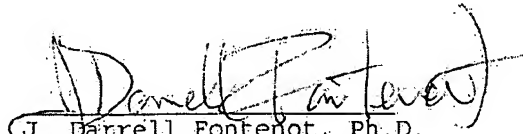
phrase "any of claims" but only cites one claim. Claim 12 has been amended to only refer to a single claim.

Claim 18 stands rejected under 35 U.S.C. § 112, second paragraph as allegedly indefinite for indicating dependence on multiple claims by having the phrase "The method of claims 17". Claim 18 has been amended to "The method of claim 17", to clarify its dependence on a single claim. Applicants therefore request that claims 17-24 be reconsidered in view of this amendment and the rejections withdrawn.

Conclusion

It is therefore requested that the Examiner consider the patentability of claims 8-24 in view of the amendments and remarks presented herein. If the Examiner believes a telephone conference would expedite prosecution of this application, the Examiner is requested to contact the undersigned attorney at 845-602-3144.

Respectfully submitted,

  
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